THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.25409 of 2006

05.6.2007

Between:

Shaik Mabu Subhani, S/o.Meera Vali

… Petitioner

AND

Eedupugallu Gram Panchayat, represented by its Secretary, Eedupugallu village, Kankipadu Mandal, Krishna District And others

… Respondents

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WRIT PETITION No.25409 of 2006

ORDER:

Petitioner herein and third respondent contested the election of Member of Ward No.7 in Eedupugallu Gram Panchayat in Krishna District. Third respondent was elected. Alleging that the third respondent incurred disqualification under Section 19(3) of A.P.Panchayat Raj Act, 1994 (the Act, for brevity) by reason of having three children, petitioner allegedly submitted representation to the respondents 1 and 2 under Section 22 of the Act, in vain. Therefore, he filed the instant writ petition.

Though an allegation is made that the petitioner submitted a representation to the respondents 1 and 2 as rightly pointed out by the learned Counsel for third respondent copy of such representation is not annexed to the writ petition. Therefore the relief as prayed for cannot be granted to the petitioner. However this Court observes that if the petitioner has made representation, the same may be considered by the respondents 1 and 2. Petitioner is also given liberty to submit a copy of the representation or submit a fresh representation under Section 22 of the Act to the respondents 1 and 2. Except making this observation, no relief can be granted to the petitioner.

The writ petition with the above observation is accordingly disposed of. No costs.

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(**V.V.S.RAO, J**)

June 05, 2007.

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